

BEFORE THE FEDERAL ELECTION COMMISSION

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COMMISSION
MAR 23 2007

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1 In the Matter of)
2)
3 Jim Gerlach for Congress Committee and)
4 Michael DeHaven, in his official capacity)
5 as treasurer)
6)
7)

2007 MAR 23 A 9:30

SENSITIVE

MUR 5690

GENERAL COUNSEL'S REPORT #2

8 **I. ACTIONS RECOMMENDED**

9 Accept the attached conciliation agreement with the Jim Gerlach for Congress Committee
10 and Michael DeHaven, in his official capacity as treasurer (the "Committee"), and close the file.

11 **II. BACKGROUND**

12 This matter involves several reporting violations, including the Committee's failure to
13 itemize information concerning contributors after receiving a \$8,832 disbursement from a joint
14 fundraising committee in its 2004 Year-End Report, overreporting total election cycle-to-date
15 contributions by \$2,157,000 in several 2004 and 2005 reports, and misreporting \$8,900 in
16 refunded contributions as unitemized contributions in its 2005 October Quarterly Report. The
17 Commission therefore found reason to believe that the Committee violated 2 U.S.C.

18 §§ 434(b)(2), 434(b)(2)(A) and 434(b)(3)(A)

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1 **III. DISCUSSION**

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Based on the foregoing, we recommend that the Commission accept the attached signed conciliation agreement with Jim Gerlach for Congress Committee and Michael DeHaven, in his official capacity as treasurer, and close the file.

IV. GENERAL COUNSEL'S RECOMMENDATION

1. Accept the attached conciliation agreement with the Jim Gerlach for Congress Committee and Michael DeHaven, in his official capacity as treasurer.
2. Close the file.
3. Approve the appropriate letters.

Thomasenia Duncan
Acting General Counsel

Rhonda J. Vosdingh
Associate General Counsel
for Enforcement

3/22/07
Date

BY: Susan L. Lebeaux
Susan L. Lebeaux
Assistant General Counsel

J. Cameron Thurber
J. Cameron Thurber
Attorney

Attachment:
Conciliation Agreement